



NEW YORK  
REGIONAL OFFICE

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
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September 12, 2023

**VIA EMAIL (chen\_chambers@nyed.uscourts.gov)**

The Honorable Pamela K. Chen  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, Chambers N 631  
Brooklyn, NY 11201

**Re: SEC v. Richard Xia, et al., 21-cv-05350-PKC-RER**

Dear Judge Chen:

We write jointly on behalf of plaintiff Securities and Exchange Commission ("SEC") and defendants Richard Xia and Fleet New York Metropolitan Regional Center ("Defendants"), and consistent with the Court's comments at the September 8, 2023 status conference ("September 8 Status Conference") regarding a potential brief adjournment of the current discovery schedule, to request a modification of that schedule to allow for the parties to spend additional time exploring the possibility of a resolution of the SEC's claims.

To help facilitate the parties' efforts to focus on certain issues related to the potential settlement as discussed during the September 8 Status Conference, the parties jointly request that the Court modify the current motion to compel briefing schedule so that the SEC's motion to compel would be adjourned from Thursday, September 14 to Friday, September 29, and all subsequent dates would be similarly extended by fifteen days.

We have filed herewith an amended proposed scheduling order.

Respectfully submitted,

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